

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

---

**UNITED STATES OF AMERICA**

Plaintiff,

Case No. 1:20-cr-00183-RJJ

Hon. Robert J. Jonker

Chief United States District Judge

v.

**BARRY GORDON CROFT, JR.,**

Defendant.

---

**PROPOSED VOIR DIRE**

Barry Gordon Croft, Jr., through his attorney Joshua Blanchard, and pursuant to Rule 24(a) of the Federal Rules of Criminal Procedure, respectfully requests that the following voir dire questions be asked of potential jurors by either this Court or counsel. Mr. Croft further requests permission to supplement these questions by directly asking questions of potential jurors during voir dire.

1. Have you, a family member, or close friend ever applied to or worked in any area of law enforcement? If yes, please explain.
2. Have you, a family member, or close friend ever worked in the legal field? If yes, please explain.
3. Have you ever volunteered or contributed money to a law enforcement organization or victim's rights group? If yes, please explain.

4. Have you, a family member or close friend ever worked for the government?

If yes, please explain.

5. Do you know or recognize any of the other potential jurors in this case? If yes, please explain.

6. Have you ever served on a grand jury before?

7. If you have served as a juror and the prior verdict was an acquittal, did the judge comment on the verdict after it was rendered by the jury? If so, what was said?

8. What are your opinions of prosecutors?

9. What are your opinions of criminal defense attorneys?

10. Do you know or recognize any of the prosecutors or criminal defense attorneys in this case? If so, how and what is your opinion of him or her?

11. Have you or someone you know ever been the victim of a crime, whether or not that crime was reported to the police? Have you or someone you know ever been threatened with a crime? If yes to either question, please explain.

12. Have you or someone you know ever been a witness to a crime, whether or not that crime was reported to the police? If yes, please explain.

13. Have you or someone you know ever been questioned about or accused of a crime even if the crime was not reported to the police? If yes, please explain.

14. Have you or someone you know ever been accused of any activity that you did not commit? If yes, please explain.

15. Are there any chat rooms, Facebook groups, or blogs that you host, visit, or post on? If so, please describe.
16. What social media platforms, if any, do you use?
17. This case involves allegations that the defendants conspired to kidnap the Governor of Michigan. Is there anything about the subject matter of the charge that would cause you trouble in being fair and impartial?
18. During the “lockdown phase” of the COVID-19 pandemic, were you financially impacted by the state’s restrictions on employment, public gathering, and other activities?
19. When in public, how important do you think it is to wear a mask?
20. On a scale of 1 to 10 (with 10 being “strongly agree”), how do you feel about the statement, “If the government required COVID-19 vaccinations, we could have ended the pandemic sooner.”
21. Do you believe COVID-19 is a real threat? Explain.
22. What precautions, if any, do you take in your life related to COVID-19?
23. Do you know anyone who has been infected with COVID-19?
24. Are you concerned about having to be in a room with other jurors during trial and deliberations? Why or why not?
25. If selected as a juror, will you wear a mask? Why or why not?
26. If a witness chooses to wear a mask, do you think it will impact your ability to assess their credibility and truthfulness?

27. Do you agree with the idea that sometimes we must sacrifice individual freedoms for the greater good of society?
28. By show of hands, how many jurors own more than three firearms?
29. Do you agree that sometimes, reasonable gun control measures are necessary for the protection of society?
30. Do you believe that people should be free to express their ideas, even when unpopular?
31. Are there any topics which should be illegal to discuss?
32. Are you more in agreement with the statement “black lives matter” or “all lives matter”? Why?
33. Do you believe that the 2020 presidential election was fair?
34. The burden of proof beyond a reasonable doubt rests solely with the government and is greater for a criminal case than for any other type of case. Do you think this is fair? Do any of you believe that the standard should be lower? Would you require the government to prove each and every element beyond a reasonable doubt before convicting Mr. Croft of a crime?
35. After you hear all the evidence, if you believe that Mr. Croft is probably guilty, would you still be able to return a verdict of not guilty?
36. Do you agree or disagree with the statement that too many people “get away” with crimes because of legal technicalities? If you agree, please explain. Do you think we should make it easier to convict a person of a crime?

37. Do any of you believe that because Mr. Croft is accused of a crime that he must have done something wrong because he has been indicted? Do you believe that if the government brings someone to trial that person is likely guilty? If yes, please explain.
38. Do you believe that because Mr. Croft is charged with other people that he is probably guilty? Will you be able to judge each person individually?
39. Do you think that Mr. Croft needs to present evidence in this case? Why?
40. A person accused of a crime has a constitutional right not to testify, and he is not required to explain his side of the case because the burden of proof beyond a reasonable doubt rests solely with the government. Do you agree with this constitutional standard? Would you still want to hear some evidence from Mr. Croft during the trial to find him not guilty?
41. Do you agree with the statement that if Mr. Croft were really not guilty he would take the stand and testify? If Mr. Croft chooses to exercise his constitutional right not to testify, what would you think of that decision?
42. Would any of you tend to give any greater weight or credibility, no matter how slight, to the testimony of a law enforcement officer or federal agent? Do you believe that Mr. Croft is more likely to be guilty because a law enforcement officer is testifying against Mr. Croft?
43. Would any of you tend to give any greater weight or credibility, no matter how slight, to a witness who was called to testify by the government over that of a witness who was called to testify by Mr. Croft?

44. Would any of you change your vote if a majority of the other jurors believed that Mr. Croft was guilty because you were in the minority?

45. If you are selected to serve as a juror for this case, would you be concerned about reactions to your verdict by anyone, including family members or friends?

46. Is there any reason not discussed, or anything that occurred during this questioning period, that makes you doubt whether you could be a completely fair and impartial juror in this case? If there is, please explain.

Respectfully Submitted,

Dated: February 17, 2022

/s/ Joshua A. Blanchard  
Joshua Blanchard  
BLANCHARD LAW  
Attorneys for Defendant Croft  
309 S. Lafayette St., Ste. 208  
Greenville, MI 48838  
616-773-2945  
josh@blanchard.law